

REMARKS

The Applicant respectfully requests reconsideration and Allowance of Claims 1, 3-4, 7-9, 11-12, and 14-20 in view of the amendments above and the following arguments.

35 U.S.C. §101 AND §112 CLAIM REJECTIONS

Claims 1-20 were objected to under 35 U.S.C. §101 and §112 upon the grounds that the invention as originally claimed was directed to non-statutory subject matter and that the claims were indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The claims have been herein amended accordingly so as to be directed to statutory subject matter and to particularly point out and distinctly claim the subject matter Applicant regards as the invention. Applicant, therefor, respectfully requests that these objections as to the remaining claims be withdrawn and the claims allowed.

35 U.S.C. §102 REJECTION

Claims 1-20 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,311,214 to Rhoads ("Rhoads").

STATUS OF THE CLAIMS

Claims 2, 5, 6, 10, and 13 have been canceled.

Claims 1, 3 - 4, 7- 9, 11-12, and 14 - 20 remain pending in this case.

Independent Claims 1, 15, and 20 have been amended to add the limitation of a reference repository wherein the reference repository receives an electronic file from a communications network and stores characteristic information associated with the electronic file. Further, these claims require, among other things, an indexing unit linked with the reference repository wherein the indexing unit assigns an identification code to the electronic file. Further, these claims also require an editing unit linked with the reference repository and the indexing unit wherein the editing unit inserts the identification code to the electronic file. These amendments represent clarifications and do add further limitations to the respective claims.

CLAIMS 1, 3-4, 7-9, 11-12, AND 14-20 ARE NOT ANTICIPATED BY THE CITED ART.

The Examiner rejected claims 1-20 under 35 U.S.C. § 102 as anticipated by Rhoads. Applicant respectfully traverses these rejections on the ground that Rhoads neither discloses, or suggests, network assembly with a reference repository wherein the reference repository receives an electronic file from a communications network and stores characteristic information associated with the electronic file. Further, none of the cited art discloses or suggests an indexing unit linked with the reference repository wherein the indexing unit assigns an identification code to the electronic file. And, further, none of the cited art discloses or suggests an editing unit linked with the reference repository and the indexing unit wherein the editing unit inserts the identification code to the electronic file.

THE RHOADS PATENT

Rhoads discloses a printed object, such as an item of postal mail, a book, printed advertising, a business card, product packaging, etc., that is steganographically encoded with plural-bit data. When such an object is presented to an optical sensor, the plural-bit data is decoded and used to establish a link to an internet address corresponding to that object. (See e.g. the Abstract). The “centerpiece” of the invention is that an object or paper product scanned by the optical sensor contains digital information that can be quickly read and acted upon by an appropriately configured device. These tangible objects have been previously and proactively marked with digital information. (See e.g. Column 1, lines 49-59). The gist of the Rhoads invention is to mark everyday objects such that when the objects are held up to a digital camera the everyday objects communicate their identities and functions to the device(s). (See e.g. Column 2, lines 7-27). As regards documents, Rhoads discloses “steganographic” encoding of the physical document only with tiny droplets of ink such that when the printed page is later presented to the camera, the device detects the presence of the encoded data on the page. (See e.g. Column 4, lines 1-26). In short, Rhoads discloses the application of physical marks on tangible items and the use of a camera to observe the item and a device to decode the information. (See e.g. Column 8, lines 10-19).

No disclosure is made or suggested of a network assembly for assigning an identification code to an electronic file from a communications network. In particular, no disclosure is made of a network assembly that includes:

- (a) a reference repository wherein the reference repository receives an electronic file from a communications network and stores characteristic information associated with the electronic file;
- (b) an indexing unit linked with the reference repository wherein the indexing unit assigns an identification code to the electronic file; and
- (c) an editing unit linked with the reference repository and the indexing unit wherein the editing unit inserts the identification code to the electronic file .

As a result, as these are the required elements of each of the independent claims 1, 15 and 20, Applicant respectfully requests that the rejection of remaining claims 1, 3 - 4, 7-9, 11-12, and 14 - 20 under 35 U.S.C. § 102 as anticipated by Rhoads be reconsidered, withdrawn and the claims allowed.

CLAIM 1

In contrast to the Rhoads device, Applicant's independent Claim1 (as well as independent Claims 15 and 20) as now more particularly claimed is directed, in pertinent part, to a network assembly including a reference repository, an indexing unit and an editing unit. The reference repository receives an electronic file from a communications network, such as the Internet, and stores characteristic information associated with the electronic file. The indexing unit assigns and stores an identification code with respect to the characteristic information. The editing unit inserts the identification code to the electronic file in a format suitable for the electronic file. (See, e.g. page 3, lines 13-21).

“Characteristic information” is defined in this application and the appended claims as information related to each efile for use in inserting a library specific identification code on that efile, such as a title, author, publisher, a library specific format, copyright date, International Standard Book Number (ISBN), and number of pages, for example. Moreover, the term “library specific” refers to internal procedures uniquely applied by each library for operating that library. It must also be added that although it is preferably

applied to library systems, the identification code insertion system 10 may be applied to other systems that require inserting an identification code to an electronic file, as those of ordinary skill will readily recognize, such as banking, accounting, sales, and other business systems, for example. (See page 6, lines 18-28).

No such system is disclosed or suggested whatsoever by Rhoads. Rhoads utilizes preprinted digital data to identify physical objects, such as a carton of milk. A camera decodes the digital data and identifies the object. Thereafter, a device, such as a computer, enables the user to order more milk or make a shopping list of identified objects.

Applicant discloses and claims an apparatus and method for electronically marking an electronic file. Further, Applicant's invention requires use of characteristic information associated with the electronic file in the creation of an identification code and the insertion of the identification code to the electronic file.

The Applicant therefore respectfully submits that Claim 1, as well as independent Claims 15 and 20 which require limitations similar to those in Claim 1, are not anticipated by, nor obvious over, Rhoads and are entitled to allowance along with dependent claims 3-4, 7-9, 11-12, 14; and 16-19 respectively.

CONCLUSION

In light of the above, Applicant respectfully requests reconsideration and allowance of Claims 1, 3 - 4, 7- 9, 11-12, and 14 - 20. If the Examiner should feel that any issue remains as to the allowability of these claims, or that a conference might expedite allowance of the claims, the Examiner is asked to telephone the undersigned attorney.

Applicant intends this to be a complete response. No fee is believed due; however if a fee is due, please charge deposit account number indicated on the transmittal letter.

Respectfully submitted,

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